

New Hampshire Department of Education
Bureau of Special Education
101 Pleasant Street
Concord, New Hampshire 03301

February 11, 2016

REQUEST FOR PROPOSAL (RFP)
RFP #SPED-2016-3

SPECIAL EDUCATION DOCUMENT TRANSLATION SERVICES

Deadline for Receipt of Proposals: 4:00pm, Friday, March 11, 2016

Proposal Inquiries: All questions about this Request for Proposals (RFP) should be submitted in writing by e-mail or fax (include your fax number) to:

Barbara Dauphinais
Bureau of Special Education
New Hampshire Department of Education
101 Pleasant Street
Concord, New Hampshire 03301
Fax: 603-271-1099
E-mail: Barbara.Raymond@doe.nh.gov

The deadline for receipt of inquiries is 4:00pm, Wednesday, February 24, 2016. Inquires must begin with the heading **"Special Education Document Translation Services RFP Inquiry."** The Department of Education (**Department**) will address inquiries received by the deadline, in writing, if they are determined to be vital to the competitive bidding process, a written response will be sent no later than five (5) working days after the deadline to all who submitted inquiries. In addition, any modifications to the specifications contained in this RFP shall be made only in writing by the Department immediately following the deadline for receipt of inquiries and no other changes will be entertained after that date. All questions and responses will be posted on the New Hampshire Department of Education website (www.education.nh.gov). Verbal agreement or instructions from any other source are not authorized or binding on the State of New Hampshire (**State**).

All advisory committees, individuals and organizations are encouraged to distribute this Request for Proposals (RFP) to any/all qualified individuals/organizations.

Grant Award

The Department expects to award a one year contract effective July 1, 2016 or upon Governor and Council approval, whichever is later, to the successful applicant through June 30, 2017; with an option to renew for one additional fiscal year, if services are determined to be satisfactory and funds are available. The Department of Education has approximately \$50,000.00 available for these translations services per fiscal year.

PURPOSE

The purpose of this RFP is to seek proposals to provide the New Hampshire Department of Education, Bureau of Special Education with translation services for the provision of: (1) special education documents to parents or guardians of English Language Learners, in an understandable and uniform format, and to the extent practicable, in a language that the parent can understand, and; (2) documents related to the Safe Schools and Healthy Students State Planning Grant to students, parents, and community members whose first language is not English, in an understandable and uniform format, and to the extent practicable, in a language that the individual can understand.

Proposals will only be accepted from translation agencies or organizations (hereafter referred to as applicants) that already provide translation services to other State's Local Education Associations, State Educational Agencies or the United States Department of Education.

1.0 SERVICES TO BE PROVIDED

The Applicant will provide the following services as part of this contract:

- 1.1 The applicant must currently provide translation services to other State's Local Education Associations, State Educational Agencies or the U.S. Department of Education.
- 1.2 The applicant will be able to provide custom translation services of no less than twenty (20) documents into up to at least ten (10) languages per contract year upon request from the Bureau of Special Education.
 - 1.2.1 Each document will be translated by native speaking translators, proofed for accuracy and correct terminology, and made available in a PDF file version to the NHDOE, Bureau of Special Education for dissemination or posting.
 - 1.2.2 Each translated document will be translated and delivered within an agreed upon timeline between the applicant and NHDOE, Bureau of Special Education.
 - 1.2.3 Documents to be translated average between 500 and 20,000 words per document.
 - 1.2.4 Applicant must have the ability to translate documents into at least Arabic, Bosnian, Chinese, Maay-Maay, Portuguese, Russian, Spanish, Vietnamese, Nepalese, and Indonesian.
- 1.3 The applicant will provide an outline of their agencies custom translation process from receipt of document to delivery and approval of the translated PDF file.
- 1.4 The applicant will provide a detailed budget of their custom translation service costs (must include a per word rate(s) by language).
- 1.5 The applicant within 30 days of delivery of translated document(s) will provide an invoice and a detailed description of services to the Bureau of Special Education. The required template to be used for invoicing will be provided to the successful bidder by the Bureau of Special Education.

2.0 TERMS & CONDITIONS

- 2.1 The State shall not be responsible for nor pay any costs incurred by the bidder in the preparation of the proposal submitted in response to this RFP.
- 2.2 The Department reserves the right to seek clarification of any information contained in a proposal submitted in response to this RFP.
- 2.3 The Department reserves the right to reject any and all proposals submitted in response to this RFP. In addition, the distribution of this RFP shall not commit the State to issue a contract.

- 2.4 If the Department chooses to award a contract in response to this RFP, the successful bidder shall be notified by letter. The Department shall then develop a contract for approval by Governor and Council. The contract shall incorporate, by reference, all provisions of this RFP and the successful bidder's proposal. In preparing a contract with the successful bidder, the Department reserves the right to clarify any terms and conditions contained in the proposal.
- 2.5 Public announcements or news releases pertaining to the award of a contract shall not be made without the written permission from the Department of Education.
- 2.6 The State shall not be responsible for any work performed by the successful bidder prior to the effective date of a contract approved by Governor and Council.
- 2.7 All obligations of the State, including the continuance of payments under an approved contract shall be contingent upon the availability and continued appropriation of State, federal, or other funds, and in no event shall the State be liable for any payments in excess of such available appropriated funds. In the event of a reduction or termination of those funds, the State shall have the right to withhold payment until such funds become available, if ever, and shall have the right to terminate or amend the contract immediately upon giving the contractor notice of such termination or amendment.
- 2.8 When delivering services under an approved contract, the contractor shall work under the broad supervision of the Department Contracting Officer for this project.
- 2.9 Unless otherwise deleted or modified by mutual agreement between the State and the contractor, all general provisions contained on Form P-37 (see **Attachment A**) shall be incorporated into the contract.
- 2.10 The Department expects to award a Contract to the successful Bidder, with the option to renew the contract for one additional fiscal year. Unless there is a change in the program requirements and/or services to be delivered, the cost for this contract shall not exceed the amount bid in the response to the **Services to be Provided** section of this RFP. If the State chooses to exercise any or all of its renewal options, the maximum contracted cost that will occur in each fiscal year shall not exceed the amount bid in response to the **Services to be Provided** section of this RFP.

All bidders will be required to provide the Department with the following information:

- a recent financial statement or most recent audit and a
 - Certificate of Existence or Certificate of Good Standing from the Secretary of State's Office.
- The procurement of a current Certificate of Existence could be a time consuming process. The web address to obtain this Certificate is www.sos.nh.gov/corporate. We recommend you apply for this at the beginning of the bid process.

In addition, the successful bidder will need to submit a Certificate of Authority authorizing the company to do business with the State of New Hampshire, Department of Education at the time the contract is signed.

- 2.11 **"Any information submitted as part of a bid in response to this request for proposal (RFP) (or request for bid (RFP) or request for information (RFI) may be subject to public disclosure under RSA 91-A. In addition, in accordance with RSA 9-F:1, any contract entered into as a result of this RFP (RFI, or RFB) will be made accessible to the public online via the website Transparent NH (<http://www.nh.gov/transparentnh/>). Accordingly, business financial information and proprietary information such as trade secrets, business and financials models and forecasts, and proprietary formulas may be exempt from public disclosure under RSA 91-A:5, IV. If you believe any information being submitted in response to a request for proposal, bid or information should be kept confidential as financial or proprietary information, you must specifically identify that information in a letter to the agency."**

2.12 Audit

Sec. 80.26 Non-Federal audit.

(a) Basic Rule. Grantees and subgrantees are responsible for obtaining audits in accordance with the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507) and revised OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." The audits shall be made by an independent auditor in accordance with generally accepted government auditing standards covering financial audits.

(b) Subgrantees. State or local governments, as those terms are defined for purposes of the Single Audit Act Amendments of 1996, that provide Federal awards to a subgrantee, which expends \$300,000 or more (or other amount as specified by OMB) in Federal awards in a fiscal year, shall:

(1) Determine whether State or local subgrantees have met the audit requirements of the Act and whether subgrantees covered by OMB Circular A-110, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit organizations," have met the audit requirements of the Act. Commercial contractors (private for-profit and private and governmental organizations) providing goods and services to State and local governments are not required to have a single audit performed. State and local governments should use their own procedures to ensure that the contractor has complied with laws and regulations affecting the expenditures of Federal funds;

FOR FURTHER INFORMATION REGARDING THE AFOREMENTIONED CIRCULARS, GO TO

www.whitehouse.gov/omb/grants/index.html

2.13 Debarment and Suspension

Organization/Individual submitting a proposal will comply with the provision of the US Code of Federal Regulations 34 CFR 364 and the following US Circular if applicable: Office of Management and Budget (OBM) Circular A-110 "Uniform Administrative Non-Profit Organizations.

The bidder/offeror certifies, by submission of this proposal or acceptance of this contract, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency. It further agrees by submitting this proposal that it will include this clause without modification in all lower tier transactions, solicitations, proposals, contracts, and subcontracts. Where the bidder/offeror/contractor or any lower tier participant is unable to certify to this statement, it shall attach an explanation to this solicitation/proposal.

2.14 Copyrights

The Department reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, for Department of Education purposes:

- (a) the copyright in any work developed under a grant, subgrant, or contract under a grant or subgrant; and
- (b) any rights of copyright to which a grantee, subgrantee or a contractor purchases ownership with grant support.

3.0 LIMITATIONS ON AMOUNT AND CONTRACT PERIOD

3.1 The bidder should present a budget that is reasonable, contains sufficient detail, and justifies the scope of the proposed translation activities as outlined in **Services to be Provided** Section 1.0.

3.2 It is expected that the typical proposal will cover activities to be conducted from date of Governor and Council approval through June 30, 2017, with an option to renew for one (1) additional fiscal year if services are determined to be satisfactory and funds are available. The Department of Education has approximately \$50,000.00 available for these translations services per fiscal year.

3.3. Indirect cost may not exceed (8%) of the direct costs of this project.

4.0 BID PROCEDURES

- 4.1 An original and four (4) identical copies of a formal proposal must be sent or delivered to the Department of Education contact person named in section 4.5 below. The maximum number of points to be awarded for each of the proposal elements is shown in parentheses. Each proposal shall include:
 - 4.1.1 A detailed statement of the bidder's professional qualifications and experience, including references and/or samples of products as they relate to the **Services to be Provided** under this RFP. (30 points)
 - 4.1.2 A narrative, which addresses the responsibilities as outlined in Section 1.0 of this RFP including a detailed description/outline of applicants' custom translation process from receipt of document to delivery of translated PDF file. (40 points)
 - 4.1.3 A detailed budget and justification related to the bidder's services in the capacity described in the **Services to be Provided**:
 - 4.1.4.1 Cost factor (25 points)
 - 4.1.4.2 Budget is detailed and well justified for **Services to be Provided** (5 points)
- 4.2 In order to provide bidders with the opportunity to present a response to this RFP which best presents their credentials and approach, no page limit has been established for the proposal. However, the bidder's ability to develop a concise proposal which responds to all of the elements listed in the Services to be Provided will be considered in rating the proposal. Supplementary materials may be included as part of the submittal. These should either explain or expand upon information presented in the formal proposal. All supplementary materials must be clearly identified (e.g. Appendix A, B, etc.) and cross-referenced in the text of the formal proposal.
- 4.3 Qualified bidders may be asked to provide the Department with additional written materials or documentation of qualifications, and may be asked to meet with the proposal evaluation team to discuss their proposal.
- 4.4 Each bidder shall submit, along with the formal proposal, a completed/signed "Alternate W-9 Form" (see **Attachment B**).
- 4.5 An original and four (4) identical copies of a formal proposal shall be submitted by 4:00pm, Friday, March 11, 2016 to:

Barbara Dauphinais
Bureau of Special Education
New Hampshire Department of Education
101 Pleasant Street
Concord, New Hampshire 03301-3860

5.0 EVALUATION OF PROPOSALS

All proposals will be reviewed and rated by an evaluation team appointed by the Commissioner of Education. The Department shall be under no obligation to contact bidders for clarification of their proposals, but it shall reserve the right to do so at any time prior to the award of the contract(s). All proposals received by the deadline will be evaluated based on the Bid Procedures outlined in this RFP.

The Department reserves the right to interview applicants with the highest average scores for their proposal, but the Department shall be under no obligation to interview applicants.

If the Department conducts an interview, it will be done so by a team who will develop structured questions and scoring criteria that will clarify the applicant's ability to fulfill this RFP.

If the Department chooses to award contract(s) relative to this RFP, it shall be to the responsive and responsible bidders that receives the highest total rating as a result of the proposal evaluation and/or interview process.

Upon conclusion of final negotiations with the successful proposer, all proposers will be notified in writing of their status, upon final approval of a contract by Governor & Council.

6.0 Post Submission Deadline

After the submission deadline, the Department will post, on its website, the number of proposals that it received from vendors.

After the Department's review and selection of a vendor, it will post all vendor names and their rank or score five days prior to submission of the Governor and Council contract packet to the Department of Administrative Services.

A vendor questioning the Department's identification of the selected vendor may request that the Department review its selection process. The request shall be in writing and be submitted to the Department within five (5) business days of the posting of the bid results, rank or score.

The Department has five (5) business days to review the request and issue a written response either affirming its initial selection of a vendor or cancelling the RFP. No hearing shall be held as part of the review. The outcome of the Department's review is not subject to appeal.

Enclosures:

Attachment A: P-37 Contract Form

Attachment B: ALT W-9 Form

Attachment C: Proposal Cover Page